

## **REMARKS**

As a preliminary matter, Applicant thanks the Examiner for the continued acknowledgement of allowable subject matter in claim 6.

As a second preliminary matter, Applicant further thanks the Examiner for the courtesy extended to Applicant's representative, Josh C. Snider, in the telephone interview conducted January 4, 2006. Independent claims 1 and 7 of the present invention were discussed, and with respect to the Pelhos reference, U.S. Publication No. 2004/0115481, that forms the basis for the outstanding rejections of both claims. Agreement was reached that the outstanding rejections of claims 1 (and its dependent claims) and 7 would be overcome by amending the two independent claims to better define the first seed layer as different from the second seed layer. Specifically, the claims would be amended to define a tilt direction of the grains in the second seed layer as being different from the grain direction of the first seed layer. These amendments are reflected in the claims, above, and discussed further below.

Claims 1-5 stand rejected under 35 U.S.C. 102(e) as being anticipated by Pelhos. Applicant has amended independent claim 1 herein according to the agreed-upon language from the telephone interview, discussed above, and respectfully traverses the rejection for at least this reason. Agreement has been reached that the cited reference does not disclose (or suggest) first and second seed layers having grains tilted in different respective directions, as now more clearly recited in claim 1, as amended.

The Examiner interprets the Pelhos reference broadly to consider the "upper and lower halves" of Pelhos' single layer to be analogous to the two distinctly claimed seed

layers of the present invention. Although Applicant submits that Pelhos should not be interpreted against the present claims as last amended, when these claims were read in light of the present Specification, Applicant and the Examiner have agreed that the amendments to the claims submitted herein will not read upon even the broadest reasonable interpretation of the Pelhos reference.

Specifically, claim 1 has been amended to clarify differences between the first and second seed layers of the present invention that address the tilt of the grains of the two seed layers with respect to one another. Pelhos, however, only teaches the single seed layer, and there is no teaching (or suggestion) this reference that the tilt of the grains in this single layer would differ from one side of the layer to the other. Accordingly, Applicant submits that the rejection of claim 1, as well as its dependent claims 2-5, has been overcome at least by this amendment.

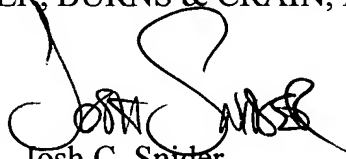
Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Pelhos in view of Fujimaki et al. (U.S. 2003/0228496). Applicant respectfully traverses the rejection for at least the reasons discussed above with respect to independent claim 1. Independent claim 7 as been amended similarly to claim 1, and should therefore now be in condition for allowance for at least the same reasons. Fujimaki is cited only for teaching to include a recording medium with a magnetic head and actuator arm, but not for any teaching or suggestion regarding the tilt direction of crystal grains of a seed layer in the recording medium.

For all of the foregoing reasons, Applicant submits that this Application, including claims 1-7, is in condition for allowance, which is respectfully requested. The Examiner is invited to again contact the undersigned attorney if a further interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", is written over the printed name.

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